

REMARKS

Claims 25-30 and 41-54 are presented for consideration, with Claims 25, 30, 44, 49, 53 and 54 being independent.

Independent Claims 25, 30, 44, 49, 53 and 54 have been amended to further distinguish Applicant's invention from the cited art. Support for the claim amendments can be found, for example, on page 36, lines 1-11, on page 37, line 15 to page 38, line 6, and on page 40, lines 6-22, in discussing different embodiments of the invention.

Claims 25, 28, 29, 41, 44, 47, 48 and 53 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Gotoh '196. Claims 26 and 45 are rejected under 35 U.S.C. §103 as allegedly being obvious over Gotoh in view of Aschman '578. Claims 27 and 46 are rejected as allegedly being obvious over Gotoh in view of Sanger '601 and Kakutani '212. Claims 30, 41, 42, 49, 50, 51 and 54 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Gotoh in view of Gondek '990. Finally, Claims 42 and 43 are rejected as allegedly being obvious over Gotoh, Gondek and further in view of Kakutani and Sanger. These rejections are respectfully traversed.

Claim 25 of Applicant's invention relates to an image processing apparatus comprised of a first unit for converting primary color data into color data for outputting a dark color material only in a first mode, wherein the primary color has any two of maximum values and one of minimum value of colors R, G and B, and a second unit for converting the primary color data into color data for outputting both the dark color material and a light color material in a second mode. As amended, the color data converted from the primary color data in the second mode is color data for outputting both the dark color material corresponding to a complementary color of

the minimum value of colors and light ink material other than the complementary color of the minimum value of colors.

The primary citation to Gotoh relates to a recording method that uses light and dark colored inks. As shown in Figure 1, distribution table A distributes printing data for dark inks and light inks, distribution table B distributes printing data for dark colors only, and distribution table C distributes printing data for light colors only.

In contrast to Applicant's claimed invention, however, Gotoh does not teach or suggest, among other features, that color data converted from primary color data in the second mode is color data for outputting both the dark color material corresponding to a complementary color of the minimum value of colors and light ink material other than the complementary color of the minimum value of colors. In Gotoh, distribution tables as shown in Figure 1 (and discussed above) as well as those shown in Figures 3A, 3B and 3C, show that a certain color signal is converted into color data for outputting the dark color material of its complementary color and the light ink material of its complementary color. In this way, a stable image can be provided even when using inks of different density (higher or lower) and the ink becomes exhausted or is not discharged properly.

Accordingly, it is submitted that Gotoh fails to anticipate or render obvious Applicant's invention as set forth in Claim 25. Independent Claims 44 and 53 relate to an image processing method and a computer readable medium, respectively, and correspond Claim 25. These claims are thus also submitted to be patentable over Gotoh.

Thus, reconsideration and withdrawal of the rejection of Claims 25, 28, 29, 41, 44, 47, 48 and 53 under 35 U.S.C. §102(b) is respectfully requested.

The secondary citation to Aschman relates to a printing system and is relied on for its teaching of a fast printing mode. Aschman fails, however, to compensate for the deficiencies in Gotoh as discussed above. Accordingly, the proposed combination of Gotoh and Aschman, even if proper, still fails to teach or suggest Applicant's claimed invention.

Reconsideration and withdrawal of the rejection of Claims 26 and 45 under 35 U.S.C. §103 is therefore respectfully requested.

Sanger relates to a printing apparatus and is relied for its teaching of a color matching mode. Kakutani also relates to a printing system and is used for its teaching of a mode for lowering granularity. These references fail, however, to compensate for the deficiencies in Gotoh as discussed above. Accordingly, the proposed combination of art, even if proper, still fails to teach or suggest Applicant's claimed invention.

Reconsideration and withdrawal of the rejection of Claims 27 and 46 under 35 U.S.C. §103 is therefore respectfully requested.

Claim 30 of Applicant's invention relates to an image processing apparatus for forming an image by using dark color materials and light color materials. The apparatus includes a first unit for forming an image by using just the dark color material for reproducing primary color data in a first mode, wherein the primary color has any two of maximum values and one of minimum value of colors R, G and B, and a second unit for forming an image by using the dark color material and a light color material having a different color from the dark color material for reproducing the primary color data in a second mode. As amended, Claim 30 recites that the image formed in the second mode is formed by using both the dark color material corresponding to a complementary color of the minimum value of colors and light ink material and other than the complementary color of a minimum value of colors.

Gotoh, which was discussed above, does not teach or suggest an image processing apparatus that includes, among other features, an image formed in the second mode being formed by using both the dark color material corresponding to a complementary color of the minimum value of colors and light ink material and other than the complementary color of the minimum value of colors.

The secondary citation to Gondek relates to an ink jet printing system and is relied on for its teaching of a light color having a different color from a dark color material for reproducing a primary color data in a second mode. In Gondek, a conversion table is created as shown and discussed in columns 7 and 8. Like Gotoh, however, Gondek fails to teach or suggest that an image formed in the second mode is formed by using both the dark color material corresponding to a complementary color of the minimum value of colors and light ink material and other than the complementary color of the minimum value of colors.

Accordingly, the proposed combination of Gotoh and Gondek, even if proper, still fails to teach or suggest Claim 30 of Applicant's claimed invention. Independent Claims 49 and 54 relate to an image processing method and a computer readable recording medium, respectively, and correspond to Claim 30. These claims are also submitted to be patentable for the reasons discussed above.

Therefore, reconsideration and withdrawal of the rejection of Claims 30, 41, 42, 49, 50, 51 and 54 under 35 U.S.C. §103 is respectfully requested.

The secondary citations to Kakutani and Sanger have been discussed above. Without conceding the propriety of combining the patents to Gotoh, Gondek, Kakutani and Sanger as proposed in the Office Action, such a combination still fails to teach or suggest Applicant's

claimed invention. Accordingly, reconsideration and withdrawal of the rejection of Claims 43 and 52 under 35 U.S.C. § 103 is respectfully requested.

Thus, it is submitted that Applicant's invention as set forth in independent Claims 25, 30, 44, 49, 53 and 54 is patentable over the cited art. In addition, dependent Claims 26-29, 41-43, 45-48 and 50-52 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

SDM/vnm

FCHS_WS 2853435v1